

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

-against-

GLORIA DAVIS,

Defendant.

SUPERIOR COURT
INFORMATION

Dkt. No.

I, ROBERT M. MORGENTHAU, DISTRICT ATTORNEY OF THE COUNTY OF NEW YORK, by this information, accuse the defendant of the crime of **BRIBE RECEIVING IN THE SECOND DEGREE**, in violation of Section 200.11 of the Penal Law, committed as follows:

The defendant, in the County of New York, and elsewhere, from on or about October 18, 1999 to on or about December 20, 2001, solicited, accepted and agreed to accept a benefit, to wit, a sum of United States currency, valued in excess of ten thousand dollars from J.P.M. Associates, Inc. upon an agreement and understanding that her vote, opinion, judgment, action, decision and exercise of discretion as a public servant would thereby be influenced.

SECOND COUNT:

I, ROBERT M. MORGENTHAU, District Attorney for the County of New York, by this information, further accuse the defendant of the crime of **BRIBE RECEIVING IN THE THIRD DEGREE**, in violation of Penal Law §200.10, committed as follows:

The defendant, in the County of New York, and elsewhere, from in or about 1998 to on or about March, 2002, solicited, accepted and agreed to accept a benefit, to wit, free transportation between New York City and Albany, from Correctional Services, Inc. upon an agreement and understanding that her vote, opinion, judgment, action, decision and exercise of discretion as a public servant would thereby be influenced.

ROBERT M. MORGENTHAU
District Attorney

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: PART

THE PEOPLE OF THE STATE OF NEW YORK

-against-

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WAIVER OF INDICTMENT

(Pursuant to
CPL Article 195)

Docket. No.

I hereby waive indictment and consent to be prosecuted by a Superior Court Information charging the following offense(s):

Offense: Bribe Receiving in the Second Degree

Date and Approximate Time: October 18, 1999 to
December 20, 2001

Place: New York County and elsewhere

Offense: Bribe Receiving in the Third Degree

Date and Approximate Time: In or about 1998
to on or about March 2002

Place: New York County and elsewhere

I am aware that: (a) under the Constitution of the State of New York, I have the right to be prosecuted by indictment filed by a grand jury; (b) I waive such right and consent to be prosecuted by Superior Court Information to be filed by the District Attorney; (c) the Superior Court Information to be filed by the District Attorney will charge the offense(s) named in this written waiver; and (d) the Superior Court Information to be filed by the District Attorney will have the same force and effect as an indictment filed by a grand jury.

Signed in open court and in the presence of my attorney.

Defendant

This waiver was signed by the defendant in open court and in my presence.

Defendant's Attorney

I, the District Attorney of New York County, hereby consent to this waiver.

by: Assistant District Attorney

This Court being satisfied that this waiver complies with the provisions of CPL §§195.10 and 195.20, it is ORDERED that this waiver is approved.

Date: _____

Justice of the Supreme Court

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COUNTY OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW YORK

-against-

GLORIA DAVIS,

Defendant.

SUPERIOR COURT INFORMATION

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DISTRICT ATTORNEY – NEW YORK COUNTY

NEWS RELEASE

January 7, 2003

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Manhattan District Attorney Robert M. Morgenthau announced today that New York State Assemblywoman GLORIA DAVIS has pleaded guilty to bribery charges.

DAVIS pleaded guilty to Bribe Receiving in the Second Degree for accepting \$24,000 from a contractor for arranging for the contractor to get a construction contract from a not-for-profit corporation under DAVIS' control.

In her plea, DAVIS admitted that she controlled the not-for-profit group, the Bronx Citizen's Committee, Inc. (BCC) which operated an alcohol and substance abuse facility located at 1668 Webster Avenue, in her district. As part of her official duties as a legislator, DAVIS lobbied for and obtained state funding to renovate the BCC facility, and because she controlled BCC, she was able to control the selection of the contractor chosen to do the work.

DAVIS admitted that a close friend of hers introduced her to the president of a construction company and that they agreed that DAVIS would arrange for the BCC renovation contract to be awarded to the contractor in return for a kickback of ten percent of the contract's value, which turned out to be \$880,000. As a result, in the first half of 2001, the contractor began to make installment payments of the ten percent kickback to DAVIS' friend. These payments to her friend totaled over \$50,000. In March of 2001, her friend gave DAVIS \$2000, which she understood was part of the kickback money. DAVIS also admitted that in August of 2001, she met with the contractor and agreed to receive the remainder of her portion of the kickback directly from him. As a result, on August 9, 2001, in Manhattan, DAVIS accepted \$11,000 in cash from the contractor. In addition, DAVIS admitted that she received another \$11,000 in cash on December 20, 2001. DAVIS admitted in her plea that she accepted the money with the understanding that it was payment for steering the BCC contract to the contractor, and also that she would use her influence as an Assemblywoman to see that the contractor received additional government funded contracts in her district.

DAVIS' guilty plea covered a second bribery scheme that charged that she received free transportation between the Bronx and Albany in exchange for lobbying on behalf of a company that ran halfway houses under contract with the state Department of Corrections. The company, Correctional Services, Inc., had been running halfway houses for a number of years and had been awarded a contract to continue, but the registration of the renewal contract was held up on procedural grounds. DAVIS intervened on the company's behalf in order to allow it to continue providing services on a month-to-month basis until the procedural problems could be worked out. In exchange, she received free round-trip transportation during the Legislative session from mid 1998 until March 2002.

DAVIS surrendered to the District Attorney's Office this morning and pleaded guilty before Acting Supreme Court Justice Micki Scherer in Part 81. She will be sentenced to three months in jail followed by four and three-quarters years of probation. In addition, she will make restitution of \$20,000, agreed to resign from her position as a member of the New York State Assembly, and agreed that she will not seek or hold public office of any kind in the future. DAVIS will be sentenced on February 25, 2003.

Mr. Morgenthau said that the investigation leading to today's arrest was a spin-off from another investigation into construction related corruption in Manhattan. During that investigation, a person close to DAVIS was introduced to the contractor and ultimately suggested that the contractor could be awarded the BCC contract in exchange for payments to himself and to DAVIS. During the investigation into the bribery scheme involving the BCC contract, evidence of the separate scheme involving Correctional Services was also developed.

The case is being prosecuted by Senior Investigative Counsel Ann Prunty of the Rackets Bureau under the supervision of Bureau Chief Patrick J. Dugan.

For their roles in the investigation, Mr. Morgenthau thanked the New York State Police and Superintendent James McMahon; the New York State Dormitory Authority (DASNY), and Edward Dominelli, the Inspector General for DASNY; the New Jersey Attorney General's Office, especially Assistant Attorney General Roger Wolf; and, Michael M. Rubbinaccio, the Morris County, New Jersey Prosecutor and his Chief of Investigations, Joseph Devine.

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